

ASSIGNED

Nº 30347

AMENDED

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

JUN 24 1976

Date of filing in State Engineer's Office.....

JUL 26 1976

Returned to applicant for correction.....

SEP 23 1976

Corrected application filed.....

SEP 23 1976

Map filed.....

The applicant..... Donnell and Andree Richards30 Vista Ave.

Street and No. or P.O. Box No.

Winnemucca, Nevada

City or Town

Nevada 89445

State and Zip Code No.

....., hereby make.... application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.).....

1. The source of the proposed appropriation is..... Clear Creek

Name of stream, lake or other source.

2. The amount of water applied for is Surplus water over prior vested rights second-feet
See Ltr. 10/10/76 11,992 acre One second-foot equals 448.83 gals. per min. ft. per season
(a) If stored in reservoir give number of acre-feet..... 2750 acre-feet

3. The water to be used for..... Irrigation

Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)..... 2750

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: The NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14.

T.33N., R.38E. or from a point from which the S $\frac{1}{4}$ corner of said

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

Section 14 bears S. 55-00-00 W., 2350.00 feet.

it should be stated.

6. Place of use. T.33N., R.37E., Sec. 2, all; Sec. 11, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$; Sec. 12,

Describe by legal subdivision, if on unsurveyed land it should be so stated.

SW $\frac{1}{4}$ SW $\frac{1}{4}$ T.34N., R.37E., Sec. 25, SE $\frac{1}{4}$; Sec. 26, W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$

SE $\frac{1}{4}$; Sec. 35, all; T.34N., R.38E., Sec. 30, S $\frac{1}{2}$; Sec. 31, N $\frac{1}{2}$ NW $\frac{1}{4}$

NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

7. Use will begin about January 1st and end about December 31st, of each year.

Day and Month

Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... Water is to be diverted from

a dam to a contour ditch and the Clear Creek drainage.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$20,000.00
10. Estimated time required to construct works.....3 to 5 years
11. Estimated time required to complete the application to beneficial use.....7 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant.....s/ Robert N. Caldwell

By.....Robert Caldwell
530 Melarkey St.
Winnemucca, Nevada 89445

Compared.....lp/ga.....bl/bc

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to store 2182.68 acre-feet of water between March 1 and September 1 for irrigation on 606.3 acres of land is issued subject to all existing rights on the source and also subject to NRS 535.010. The proof of beneficial use and cultural map, when filed, must show the maximum amount of water stored and released during any one year, and the lands on which such water was used. The State retains the right to regulate the use of the water herein granted at any and all times.

The E1/2 Section 11, T.33N., R.37E., M.D.B.&M. is deleted from the place of use under this permit.

The place of use shall be limited to the acreage allowed under the Clear Creek Decree under Proof 01107, Certificates 253, 256 and 15.0 acres in the SW1/4 SW1/4 Section 12, T.33N., R.37E., M.D.B.&M. under Certificate 255, excluding 15.9 acres in the E1/2 NE1/4 Section 27, T.34N., R.37E., M.D.B.&M. under Certificate 256.

The diversion rate is limited to 6.063 c.f.s. as allowed under the Clear Creek Decree, and all ditch and transportation losses between the reservoir and the place of use will be borne by the permittee.

No water diverted for storage under this permit may be retained in storage beyond the end of each irrigation season.

An acceptable measuring device must be installed by the permittee in the natural channel of Clear Creek immediately above the diversion of water to the reservoir and also immediately below the reservoir and said measuring device must be installed before any diversion of water to storage is made.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and

not to exceed 2182.68 acre-feet ~~reservoir per second~~ storage between March 1 and September 1. Duty of water from all sources not to exceed 3.6 acre-feet per acre irrigated.

Actual construction work shall begin on or before.....September 29, 1978

Proof of commencement of work shall be filed before.....October 29, 1978

Work must be prosecuted with reasonable diligence and be completed on or before.....September 29, 1979

Proof of completion of work shall be filed before.....October 29, 1979

Application of water to beneficial use shall be made on or before.....September 29, 1982

Proof of the application of water to beneficial use shall be filed on or before.....October 29, 1982

Map in support of proof of beneficial use shall be filed on or before.....October 29, 1982

Commencement of work filed.....IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD
Completion of work filed.....State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed.....my office, this 29th day of MARCH

Cultural map filed.....
Certificate No.....Issued.....A.D. 19 78
Recorded.....Bk.....Page.....

CANCELLED.....County Recorder 6 1981.....BECAUSE OF FAILURE
State Engineer

William J. Geoman